

**FILED**  
HARRISBURG, PA

JUN 30 2025

PER

DEPUTY CLERK

---

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA  
HARRISBURG DIVISION**

---

**MARYANN BUTLER, by and through her Authorized Representative,**

**AUDURY PETIE DAVIS,**

Plaintiff,

v.

Civil Action No. 1:25-cv-00690-PJC

**NEW AMERICAN FUNDING (Broker Solutions, Inc.),**

Defendant.

---

**JUDICIAL NOTICE OF REGULATORY ESCALATION AND MOTION FOR  
DEFAULT**

**WITH REQUEST FOR IMMEDIATE RULING**

NOW COMES the Plaintiff, Maryann Butler, by and through her Authorized Representative Audury Petie Davis, and respectfully files this Judicial Notice and Motion for Default under the Federal Rules of Civil Procedure, and in support thereof states as follows:

---

**I. JUDICIAL NOTICE OF REGULATORY ESCALATION**

1. Plaintiff hereby gives formal judicial notice that as of June 28, 2025, his formal complaint regarding misconduct by Defendant has been escalated and confirmed received by multiple state and federal regulators, including the Pennsylvania Office of Attorney General and the Consumer Protection Compliance Division (consumer.pa.gov).
  2. Attached correspondence confirms the escalation is active and ongoing, prompted by documented misrepresentations, bounced legal preservation notices, unethical loan conduct, and regulatory violations related to the FHA-backed loan at issue.
  3. The escalated complaint file includes Exhibits A through X and direct MP3 voicemail evidence, off-portal documentation, and verified proof of misconduct. These materials have now been reviewed by compliance officers and consumer affairs specialists.
  4. Defendant and its counsel were notified of this development via email on Saturday, June 28, 2025, along with a final opportunity to settle.
- 

## **II. MOTION FOR DEFAULT**

5. Defendant was served on June 6, 2025. As of this filing on June 30, 2025, no responsive pleading to the Verified Complaint or any pending motions has been filed, other than a Motion to Extend that was not accompanied by any settlement dialogue, rebuttal, or corrective action.
  6. Pursuant to Rule 55 of the Federal Rules of Civil Procedure, Plaintiff respectfully moves this Honorable Court to enter Default Judgment in favor of the Plaintiff based on the Defendant's failure to timely plead or otherwise defend.
  7. Additionally, Plaintiff requests that the Court consider Defendant's refusal to respond to verified allegations and documented regulatory concerns as sufficient grounds to grant this motion without further delay.
- 

## **III. REQUEST FOR IMMEDIATE RULING**

8. Plaintiff further requests an immediate ruling on this Motion for Default in light of the:
    - o Ongoing regulatory investigations now affecting Defendant;
    - o Confirmed email delivery of Plaintiff's final settlement demand and escalation notice;
    - o Absence of communication or remedial effort by Defendant's counsel;
    - o Pattern of obstruction, avoidance, and strategic delay in responding to federal filings.
- 

**WHEREFORE, Plaintiff respectfully requests that this Honorable Court:**

9. Attached hereto as Exhibit Y is the June 28, 2025 confirmation from the Pennsylvania Office of Attorney General, Bureau of Consumer Protection, confirming formal escalation and review of the allegations at issue in this action.

- TAKE JUDICIAL NOTICE of the confirmed regulatory escalation;
- ENTER DEFAULT JUDGMENT against Defendant;
- ISSUE AN IMMEDIATE RULING on this Motion;
- And grant any such further relief as the Court deems just and proper.

Respectfully submitted,

  
/s/ Audury Petie Davis

Authorized Representative for Plaintiff Maryann Butler

2041 Greenwood Street

Harrisburg, PA 17104

(717) 424-8220

mfmallah87@icloud.com

---

## VERIFICATION

I, Audury Petie Davis, Authorized Representative for Plaintiff Maryann Butler, declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge.

Executed on this 30th day of June, 2025.

/s/ Audury Petie Davis

Audury Petie Davis 

Authorized Representative

---

### **CERTIFICATE OF SERVICE**

I hereby certify that on this 30th day of June, 2025, a true and correct copy of the foregoing was served via email and U.S. Mail upon:

James J. McNally, Esq.

Attorney for Defendant

New American Funding (Broker Solutions, Inc.)

jmcnally@cohenseglia.com []

/s/ Audury Petie Davis

Audury Petie Davis 

Authorized Representative

---